

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1.-22. (Cancelled)

23. (Currently Amended) A moving picture decoding method, carried out by a computing system, which generates a predicted image using motion vector information and reference frame(s) information, the moving picture decoding method having a prediction mode in which prediction mode motion vector information of a current block in a current frame is not transmitted from an encoding side, comprising:

in said prediction mode:

selecting, from among multiple candidate reference frames, a frame(s) to be referenced to in the prediction mode; and

determining motion vector information to be used for the current block in the prediction mode, based on whether predetermined adjacent blocks adjacent to the current block, have a motion vector, wherein ~~both the~~ all of the predetermined adjacent blocks and the current block belong to the current frame and the predetermined adjacent blocks are decoded earlier than the current block; and

performing moving picture decoding by generating said predicted image using the reference frame(s) information on said selected reference frame(s) and the motion vector information in said prediction mode.

24. (Currently Amended) A moving picture decoding method, carried out by a computing system, which generates a predicted image using motion vector information and reference picture(s) information, the moving picture decoding method having a prediction mode in which prediction mode motion vector information of a current block in a current picture is not transmitted from an encoding side, comprising:

in said prediction mode:

selecting, from among multiple candidate reference pictures, a picture(s) to be referenced to in the prediction mode; and

determining motion vector information to be used for the current block in the prediction mode, based on an availability of motion vector(s) of predetermined adjacent blocks which are adjacent to a current block, wherein ~~both the~~ all of the predetermined adjacent blocks and the current block belong to the current picture and the predetermined adjacent blocks are decoded earlier than the current block; and

performing moving picture decoding by generating said predicted image using the reference picture(s) information on said selected reference picture(s) and the motion vector information in said prediction mode.

25. (Currently Amended) A moving picture decoding method, carried out by a computing system, which generates a predicted image using motion vector information, the moving picture decoding method having a motion-vector-less prediction mode having a motion-vector-less block, the method comprising:

in a decoding of the motion-vector-less block of the motion-vector-less prediction mode:

determining motion vector information to be used for the decoding of the motion-vector-less block, based on whether predetermined adjacent blocks which are adjacent to the motion-vector-less block, have a motion vector, wherein ~~both~~ all of the predetermined adjacent blocks and the motion-vector-less block belong to a same frame and the predetermined adjacent blocks are decoded earlier than the motion-vector-less block; and

performing moving picture decoding by generating said predicted image, by using the motion vector information from the determining operation in the decoding of the motion-vector-less block.

26. (Currently Amended) A moving picture decoding method as claimed in claim 25, wherein the motion vector information is a motion vector selected from at least one motion vector of the predetermined adjacent blocks of the same frame.